

LFC Requester:

Henry Jacobs

AGENCY BILL ANALYSIS - 2025 SPECIAL SESSION**WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO****[AgencyAnalysis.nmlegis.gov](https://www.nmlegis.gov) and email to billanalysis@dfa.nm.gov*****(Analysis must be uploaded as a PDF)*****SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}***Date Prepared:** October 1, 2025*Check all that apply:***Bill Number:** Disc.DraftOriginal ☐ Correction ☐Amendment ☐ Substitute ☐**Sponsor:** N/A**Agency Name****and Code**AODA: #264**Number:****Short****Person Writing**Marco P. Serna**Title:****Phone:** 5052489945**Email** mserna@da.state.nm.us**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

Section 1 amends section 31-9-1 – “Determination of Competency”

Subsection B provides that if competency is raised in metropolitan court, the court now has jurisdiction to determine competency. If the metropolitan court determines that the defendant is not competent to stand trial, the matter will be transferred to district court.

FISCAL IMPLICATIONS

Note: Major assumptions underlying fiscal impact should be documented.

None noted.

SIGNIFICANT ISSUES

If a defendant is found not competent to stand trial by the metropolitan court, the case is still required to be transferred to district court.

PERFORMANCE IMPLICATIONS

N/a

ADMINISTRATIVE IMPLICATIONS

N/a

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

The language is unclear as to the intent of a metropolitan court finding not competent to stand trial, and still requiring the case be transferred to district court.

OTHER SUBSTANTIVE ISSUES

N/a

ALTERNATIVES

N/a

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

n/a